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UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA

A.M. Rashed CHOWDHURY,
Mumtaz CHOWDHURY,

Plaintiffs,

v.

David STILL, in his Official Capacity, District
Director, U.S. Citizenship and Immigration Services,
United States Department of Homeland Security, San
Francisco, California; Christina POULOS, in her
Official Capacity, Acting Director, U.S. Citizenship
and Immigration Services California Service Center,
United States Department of Homeland Security;
Michael CHERTOFF, in his Official Capacity,
Secretary, United States Department of Homeland
Security; and Alberto R. GONZALES, in his Official
Capacity, Attorney General, U.S. Department of
Justice.

Defendants.

Case No. C 06-7032 SC

**NOTICE OF
VOLUNTARY
DISMISSAL**

Immigration Case, Administrative
Procedure Act Case

Agency No.: A75 246 305
A75 246 306

1 Plaintiffs, A.M. Rashed CHOWDHURY and Mumtaz CHOWDHURY, hereby
 2 voluntarily dismiss the above-captioned case. Northern District of California, Local
 3 Rules 3-2(c) and (e) require that, with limited exceptions, civil actions and proceedings
 4 be assigned by the clerk to a court serving the county in which the action arises.
 5 Plaintiffs' action arises in Santa Clara County. Plaintiffs hereby dismiss the instant case
 6 in the San Francisco Division, as it should have properly been brought in the San Jose
 7 Division. Local Rule 3-2(e). Plaintiffs are filing a new Complaint designating the San
 8 Jose Division as the proper venue for assignment. The new Complaint names the officer
 9 in charge of the San Jose District Office of the United States Citizenship and Immigration
 10 Services as the lead Defendant. Counsel for Plaintiffs and Defendants in both actions are
 11 filing a stipulation in the new action stating that dismissal of the herein Complaint and
 12 refiling of a new Complaint designating San Jose as the proper Division is the appropriate
 13 course of action.
 14
 15

16 Pursuant to Federal Rule of Civil Procedure 41(a)(1), this action may be
 17 dismissed voluntarily by Plaintiffs without order of the court, as the notice of dismissal is
 18 filed before service by Defendants of an answer or motion for summary judgment.
 19
 20

21 Dated: November 17, 2006

Respectfully submitted,



22
 23 /s/_____
 24 Marc Van Der Hout
 25 Attorney for Plaintiffs
 26 A.M. Rashed CHOWDHURY and
 27 Mumtaz CHOWDHURY
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